



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

WK:MJB
F. #2020R00151

*271 Cadman Plaza East
Brooklyn, New York 11201*

May 11, 2020

By ECF and E-mail

The Honorable Cheryl L. Pollak
Chief United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Douglas Ebanks
Criminal Docket No. 20-204M

Dear Chief Judge Pollak,

The government respectfully submits this letter in response to the Court's May 8, 2020 request that the government file a letter today in this matter. (See ECF Dkt. No. 11). Following the May 8, 2020 telephonic conference, the government has decided respectfully to move to dismiss the complaint without prejudice. As discussed during the conference, the defendant has been indicted by a New York State grand jury and is currently held on \$100,000 bail in the state case. A motion and order dismissing the complaint without prejudice is attached hereto for the Court's consideration.

Respectfully submitted,

RICHARD P. DONOGHUE
United States Attorney

By: /s/
Michael J. Bushwack
Assistant U.S. Attorney
(718) 254-6454

Attachment

cc: Clerk of Court (CLP) (by ECF and E-mail)
Mildred Whalen, Esq. (Attorney for Defendant) (by E-mail)

UNITED STATES DISTRICT COURT

EASTERN

DISTRICT OF

NEW YORK

UNITED STATES OF AMERICA

V.

DOUGLAS EBANKS

**MOTION AND ORDER DISMISSING
THE COMPLAINT WITHOUT
PREJUDICE**

CASE NUMBER: 20-204M

MOTION FOR AN ORDER DISMISSING THE COMPLAINT WITHOUT PREJUDICE

The United States of America hereby moves to dismiss the complaint without prejudice as to the above named defendant. Counsel for defendant (where applicable), Midlred Whalen, Esq., does not oppose this motion.

- ☐ Defendant is in custody and should be released.
☒ Defendant is incarcerated on another matter and should not be released
☐ Defendant is not in custody and was released on a bond not secured with property.
☐ Defendant is not in custody and was released on a bond secured with property.
☐ Defendant is not in custody and is not released on a bond.

May 11, 2020

Date

Michael J. Bushwack

ASSISTANT U.S. ATTORNEY Michael J. Bushwack

ORDER DISMISSING THE COMPLAINT WITHOUT PREJUDICE

The United States having moved to dismiss the complaint without prejudice and there being no opposition, the motion to dismiss the complaint without prejudice is granted and any outstanding underlying warrants are hereby vacated.

☐ *The United States must cooperate with defendant or his counsel in promptly executing all documents necessary to vacate any liens recorded against property and sureties securing the bond.*
SO ORDERED.

Date

UNITED STATES MAGISTRATE JUDGE

HON. CHERYL L. POLLAK

TO: THE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF NEW YORK

- ☐ *It is further Ordered that the United States Marshals Service for the Eastern District of New York release the above named defendant.*
☐ *It is further Ordered that the United States Marshals Service for the Eastern District of New York not release the above named defendant since he is incarcerated on another matter.*

Date

UNITED STATES MAGISTRATE JUDGE

HON. CHERYL L. POLLAK